

Essentially, the capitalization of certain words (Act, custodian, civil investigative demand) was made consistent throughout the regulation, and the term "civil investigation demand" was changed to "civil investigative demand," which is the term used in the statute.

The above-mentioned interim rule included a 60-day public comment period. The Department received no comments before the comment period expired on October 24, 1995. The Department has determined to issue the rule in final form without revision to the interim rule.

Regulatory Flexibility Act

The Attorney General, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact on a substantial number of small entities.

Executive Order 12612

This regulation will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, § 1(b), Principles of Regulation. The Department of Justice has determined that this rule is not a "significant regulatory action" under Executive Order 12866, § 3(f), and accordingly this rule has not been reviewed by the Office of Management and Budget.

Accordingly, the interim rule amending 28 CFR part 49 that was published at 60 FR 44276 on August 25, 1995, as corrected at 60 FR 61290 on November 29, 1995, is adopted as a final rule without change.

Dated: January 16, 1996.

Janet Reno,

Attorney General.

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DEPARTMENT OF LABOR

29 CFR Part 215

RIN 1294-AA14

Office of Labor-Management Programs; Guidelines, Section 5333(b), Federal Transit Law

AGENCY: Office of Labor-Management Programs, Office of the American Workplace, Labor.

ACTION: Confirmation of effective date.

SUMMARY: The Office of Labor-Management Programs published a notice in the January 5, 1996 Federal Register (61 FR 386) deferring the effective date of implementation of guidelines for the employee protection program under Title 49 U.S.C., Chapter 53, Section 5333(b) of the Federal Transit law. Pursuant to the January 5, notice, the original effective date, January 8, 1996, was extended for a period equal to the duration of the furlough caused by the partial government shutdown that began on December 16, 1995.

This document announces and confirms that the new effective date of the guidelines will be January 29, 1996. This action was taken because the temporary closing of government offices and the furlough of Department of Labor (the Department) employees responsible for the administration of this program precluded the Office of Labor-Management Programs from undertaking the necessary staff training and preparation of materials and documents to allow for implementation of the guidelines.

EFFECTIVE DATE: The new effective date of the guidelines is January 29, 1996.

FOR FURTHER INFORMATION CONTACT: Kelley Andrews, Director, Statutory Programs, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5411, Washington, DC 20210, (202) 219-4473.

SUPPLEMENTARY INFORMATION:

I. Rationale

The Office of Labor-Management Programs, Office of the American Workplace, hereby confirms that January 29, 1996 will be the new effective date of the guidelines for the administration of the transit employee protection program pursuant to Section 5333(b) of the Federal Transit law, commonly referred to as "Section 13(c)", (FR Vol. 60, No. 235, pg. 62964, December 7, 1995).

II. Publication in Final

The Department finds good cause that public comment on the confirmation of

the effective date of these guidelines to be impracticable and unnecessary because the Department is forced to take this action due to the temporary closing of Federal offices and the furlough, caused by the partial government shutdown, affecting the Department employees who administer this program. 5 U.S.C. 553(b)(B).

List of Subjects in 29 CFR Part 215

Grant administration; Grants—transportation; Labor-management relations; Labor unions; Mass transportation.

Accordingly, the amendment of 29 CFR Chapter II published at FR Vol. 60, No. 235, pg. 62964, December 7, 1995, is deferred until January 29, 1996.

Signed at Washington, DC this 22nd day of January, 1996.

Charles L. Smith,

Deputy Assistant Secretary.

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DEPARTMENT OF DEFENSE

Corps of Engineers

33 CFR Part 334

Sinclair Inlet, Puget Sound, Bremerton, WA; Naval Restricted Areas

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Final rule.

SUMMARY: The Corps is adopting as a final rule without modification, an interim final rule which amends the regulations reestablishing two restricted areas in the waters of Sinclair Inlet adjacent to the Puget Sound Naval Shipyard (PSNS), Bremerton, Washington. The amendments made by the interim final rule are essential to safeguard U.S. Navy vessels and Government facilities from sabotage and other subversive acts, accidents, or other incidents of a similar nature. The promulgation of this final rule is also necessary to protect vessels and individuals from the dangers associated with the industrial waterfront facilities at the shipyard.

DATES: Effective January 25, 1996.

ADDRESSES: HQUSACE, CECW-OR, Washington, DC 20314-1000.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Freedman, Regulatory Branch, Seattle District at (206) 764-3495, or Mr. Ralph Eppard, Regulatory Branch, CECW-OR at (202) 761-1783.

SUPPLEMENTARY INFORMATION: Pursuant to its authorities in Section 7 of the